

Appl. No. 09/991,407

REMARKS/ARGUMENTS

Restriction Requirement

The Office has required restriction to one of the following groups of claims:

- Group I: Claims 1-16 and 20, drawn to an absorbent device, classified in Class 604, subclass 385.18; and
- Group II: Claims 17-19, drawn to a method of making an absorbent device, classified in Class 156, subclass 1.

The Office Action indicates that Groups II and I are related as product and process of making. It indicates that the product as claimed can be made without manipulating the resilient member into a deformed condition. Applicants hereby elect Group I, with traverse and respectfully request reconsideration of the Restriction Requirement.

Applicants respectfully request clarification of the statement, "the product as claimed can be made without manipulating the resilient member into a deformed condition." This statement does not appear to be commensurate with the scope of claim 1. Further, Applicants understand from the Requirement that the Office considers Method of Use Claims 15 and 16 to be categorized with Product Claims 1-14 and 20.

Further, Applicants submit that the claims in the groups are related, and complete examination cannot be made of either group of claims without searching and considering the art in the other group's classification. Therefore, Applicants submit that it would be more efficient to search and examine both claim groupings together. That being the case, Applicants submit that it would be more burdensome upon them to have to prosecute two separate applications for the identified claims than it would be for the Patent Office to examine the two groups together. Reconsideration and withdrawal of the restriction requirement is hereby respectfully requested.

Finally, the Office as requested election of one species from:

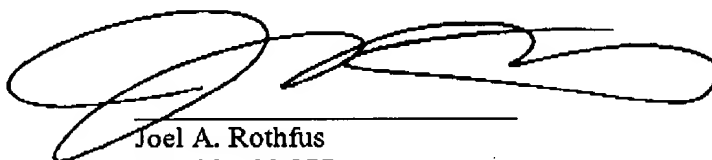
- Species 1: a resilient member in bent configuration; and
- Species 2: a resilient member in the shape of a ring; and
- Species 1: a resilient member is a spring.

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Applicants hereby elect Species 1, with traverse and respectfully request reconsideration of the Election Requirement. Elected claims currently readable on this species include Claims 1-8, and 11-16.

Applicant respectfully requests a timely Notice of Allowance in this case.

Respectfully submitted,



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